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9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
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12 DFSB KOLLECTIVE CO. LTD., a
Korean corporation,

13 Plaintiff,

14 vs.

15 CJ E&M, INC., a Korean corporation;
16 CJ E&M AMERICA, INC., a California
corporation,

17 Defendant.
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Case No. 5:15-mc-80265-HRL

**PLAINTIFF DFSB KOLLECTIVE
CO. LTD'S SECOND AMENDED
NOTICE OF MOTION TO
COMPEL THIRD-PARTY BEATS
MUSIC, LLC TO PRODUCE
DOCUMENTS IN RESPONSE TO
SUBPOENA**

Hearing date & time: December 15,
2015 at 10 A.M.

Pretrial Conference: 2/22/2016

Trial Date: 3/1/2016

**[For case pending in
the United States District Court
for the Central District of California
Case No. 2:15-cv-01650-SVW-FFM]**

TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that plaintiff DFSB Kollektive Co. Ltd. will apply to the Court for an Order on Tuesday, December 15, 2015 at 10 A.M. (*instead of December 1, 2015 as previously noticed*) for its motion filed on November 5, 2015 (Dkt. Nos. 1-3). Pursuant to Fed. R. Civ. P. 45(d)(2)(B)(i), plaintiff has moved to compel third-party Beats Music, LLC (“Beats”) to produce documents in response to a subpoena served on September 16, 2015. These documents are relevant to an action pending in the Central District of California; but—weeks after the deadline for producing responsive documents—Beats continues to refuse to produce responsive documents. Consequently, the Court should compel Beats to produce documents responsive to plaintiff’s subpoena within seven calendar days of the Court’s order.

This motion is based upon this Amended Notice of Motion as well as the original Notice of Motion, Memorandum of Points and Authorities in support thereof, the Declaration of Jonathan Gottfried (filed on November 5, 2015 at Dkt. Nos. 1-3) the files in this action, and all other matters properly presented to the Court prior to its ruling.

DATED: November 12, 2015

BROWNE GEORGE ROSS LLP
Keith J. Wesley
Andrew A. August
Jonathan L. Gottfried

By /s/ Jonathan Gottfried
Jonathan Gottfried
Attorneys for Plaintiff
DFSB Kollektive Co. Ltd.

PROOF OF SERVICE

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

At the time of service, I was over 18 years of age and not a party to this action. I am employed in the County of Los Angeles, State of California. My business address is 2121 Avenue of the Stars, Suite 2400, Los Angeles, CA 90067.

On November 12, 2015, I served true copies of the following document(s) described as **PLAINTIFF DFSB KOLLECTIVE CO. LTD'S SECOND AMENDED NOTICE OF MOTION TO COMPEL THIRD-PARTY BEATS MUSIC, LLC TO PRODUCE DOCUMENTS IN RESPONSE TO SUBPOENA** on the interested parties in this action as follows:

SEE ATTACHED SERVICE LIST

BY CM/ECF NOTICE OF ELECTRONIC FILING: I electronically filed the document(s) with the Clerk of the Court by using the CM/ECF system. Participants in the case who are registered CM/ECF users will be served by the CM/ECF system. Participants in the case who are not registered CM/ECF users will be served by mail or by other means permitted by the court rules.

BY MAIL: I enclosed the document(s) in a sealed envelope or package addressed to the persons at the addresses listed in the Service List and placed the envelope for collection and mailing, following our ordinary business practices. I am readily familiar with Browne George Ross LLP's practice for collecting and processing correspondence for mailing. On the same day that the correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service, in a sealed envelope with postage fully prepaid.

BY E-MAIL OR ELECTRONIC TRANSMISSION: On November 12, 2015 I caused a copy of the document(s) to be sent from e-mail address lburns@bgrfirm.com to the persons at the e-mail addresses listed in the Service List. I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on November 12, 2015, at Los Angeles, California.

/s/ Lynne E. Burns
Lynne E Burns

SERVICE LIST
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2:15-cv-01650-SVW-FFM

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